

**TOWN OF KENT  
TOWN BOARD MEETING  
Tuesday, December 4, 2018**

**Executive Session** – 6:00 p.m.

discuss proposed, pending or current litigation; collective negotiations pursuant to article fourteen of the civil service law; and the medical, financial, credit or employment history of a particular person or corporation, or matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person or corporation.

**Public Hearing** – 7:00 p.m.

Kent Town Code for the Regulation and Licensing of Food Trucks

**Workshop** –

1. Pledge of Allegiance
2. East of Hudson projects discussion
3. Magna5 Proposal
4. Livestock Crossing signs on Dean Rd.
5. Planning Board – Erosion control bond and inspection fee for TM# 30.20-1-15 and bond return for TM# 30.20-1-16
6. Code Enforcer – correct violations at TM# 33.65-1-36
7. Generator maintenance agreement
8. Announcements
9. Public Comment

**Meeting**

1. Roll Call
2. Vote on the following:
  - a) Accept proposal from Magna5
  - b) Accept erosion control bond for TM# 30.20-1-15
  - c) Bond return for TM# 30.20-1-16
  - d) Approve contract to correct violations at TM# 33.65-1-36
  - e) Approve contract for generator maintenance
  - f) Tax certiorari settlement TM# 33.48-1-18
3. Vouchers and Claims
4. Public comment

TOWN OF KENT  
AMENDMENT TO  
CHAPTER 39B OF THE KENT TOWN CODE

BE IT ENACTED by the Town Board of the Town of Kent, Putnam County, New York, as follows:

Section 1. Chapter 39B entitled "Peddlers and Solicitors", is amended as follows:

Chapter 53. Peddlers and Solicitors

§ 53-10 Exemptions.

- A. A.No part of this chapter shall be enforced so as to conflict with Article 4, § 32, of the General Business Law of the State of New York, providing for exemption for veterans.
- B. B. The requirements of this chapter shall not apply to the following, provided that official uniforms, clothing or other suitable identification is displayed:
- (1) Any recognized nonprofit, religious, charitable, educational, civic or political organization.
- (2) Any such organizations as the Boy Scouts, Girl Scouts or local volunteer firemen.
- C. The provisions of this Chapter shall not apply to operators of Food Trucks which possess a license pursuant to Chapter 39B of the Town Code.

Section 2. Chapter § 39-B shall be added to the Town Code, entitled "Food Trucks", as follows:

Chapter 39B. Food Trucks.

39B-1. Definitions.

As used in this article, the following terms shall have the meanings indicated:

**APPLICATION**

The form and supporting information or documentation prescribed by the Town Board seeking the issuance of a food truck permit.

**FOOD TRUCK**

A vehicle from which food for human consumption is sold or dispensed. Such vehicle may be self-propelled or towed by another vehicle.

**FOOD TRUCK PERMIT**

The permit or license issued by the Town Clerk which shall be proof that a particular food truck has met the qualification requirements and that the location endorsed thereon has been approved by the Town for the purpose stated therein.

### **FOOD TRUCK PERMIT, SECONDARY**

A second permit which may be issued to an existing food truck permit holder which would allow such permit holder to locate his or her food truck at a secondary location on municipally owned property.

### **LOCATION**

The particular physical site, approved by the Town Code Enforcement Officer, where the food truck shall be parked and operated during permitted hours.

### **VETERAN**

Any veteran of the United States military service or coast guard who has been discharged from service for other than cause. Any veteran applicant shall submit a copy of his or her Form DD-214 as part of the application package.

### **§ 39B-2. Permit; fees.**

- A. No more than one permit shall be issued to any individual or qualifying business entity.
- B. Such permit shall be issued to an applicant who has completed the requisite application on the prescribed form provided by the Town Clerk, paid the requisite fee(s) and provided such additional information as may be required in the application, including, but not limited to, proof of general liability insurance with limits of liability not less than \$1,000,000 per occurrence; current vehicular registration, inspection and insurance; proof of permission to locate the food truck at the particular location; and, in the case of prepared food sales, a current food vendor's permit issued by the Putnam County Department of Health. The Town of Kent shall be listed as an additional insured on the policy of general liability insurance.
- C. Permits shall be issued on a calendar year basis running from January 1 to December 31. Applications for such permits shall be available to residents or established businesses located within the Town of Kent from November 1 through November 30 of each year for the following year. From December 1 on, applications, to the extent permits are still available, shall be accepted from nonresidents.
- D. The annual fee for a food truck permit shall be set by the Town Board and included in the annual fee schedule adopted by the Town Board, as the same may be amended from time to time. Any permit issued after July 1 shall be 1/2 of the annual permit fee and shall run for the balance of the calendar year. Any permit issued to a veteran shall be exempt from the payment of the annual fee. To be exempt from the payment of the requisite permit fee, such veteran shall actually be engaged in the operation of the food truck and shall be present at the location at all times the food truck is in operation.
- E. Food truck permit holders and any employee(s) shall be issued a photographic identification

card by the Town of Kent. Such identification shall be maintained on the person of the permit holder and employee at all times that the food truck is in operation and shall be open to the inspection by the Town Code Enforcement Officer.

- F. Secondary permits shall be made available to existing food truck permit holders who wish to provide food vending services on municipally owned properties on a monthly, weekly or daily basis. Such secondary permits shall only be issued to existing food truck permit holders. The fee for such secondary permit shall be set forth in the annual fee schedule, as the same may be amended from time to time.
- G. Notwithstanding the foregoing, any licensed or permitted food truck shall be allowed to operate on private property within the Town at a specific function and at the specific request by such private property owner for the purpose of catering or providing food service for such special function.

#### § 39B-3. Location.

- A. Except as otherwise provided for herein, a food truck permit shall allow the holder thereof to conduct the business vending food from a specific, stationary location. Such location shall be on private property or within or on a public thoroughfare or right-of-way. No vending or soliciting of food sales shall occur by the permittee at any location within the Town other than that which is declared on the permit.
- B. A permitted location shall be within a commercially zoned area and shall be subject to the prior approval of the Town Code Enforcement Officer to ensure that such location is safe for use by both vehicles and pedestrians.
- C. An applicant for a food truck permit shall provide proof, in writing, signed by the owner of the particular location or, with respect to state, county or other municipal thoroughfares, signed by the authorized permitting authority, that the applicant has permission to park or locate the food truck at that particular location. Such document shall be signed and acknowledged before a notary public.
- D. A permitted location shall have an improved parking area and shall have not less than two parking spaces available for patron use. Such parking spaces must be in addition to any parking spaces that are committed to other uses and/or occupancies that are served by the site as specified in the Town's zoning regulations or as set forth on any current site plan for the location.
- E. A permitted location shall not be closer than 500 feet to any existing restaurant, delicatessen, fast food establishment, or other food service establishment.
- F. There shall be no outdoor seating or other accommodation for on-site consumption of food or other vended products. The food truck permit holder shall provide adequate refuse



receptacles for patron use and shall provide that refuse deposited therein is removed from the permitted location on a daily basis.

§ 39B-4. Hours of operation.

- A. Food trucks may be operated during the hours of 5:00 a.m. through 9:00 p.m. on any given day.
- B. Food trucks shall be removed from the permitted location within one hour after closing and shall not be returned to the permitted location more than one hour before the permitted opening time on any given day. There shall be no overnight parking of food trucks at any permitted location.

§ 39B-5. Penalties for offenses; revocation.

- A. Any person who violates any provision of this article shall be guilty of an offense and upon conviction thereof shall be subject to a fine of not less than \$100 nor more than \$250 for each violation, or by imprisonment not exceeding 15 days, or both such fine and imprisonment.
- B. Conviction of three violations of any provision of this article shall result in the immediate revocation of the food truck permit.

Section 3. This local law shall take effect immediately.

Dated: November \_\_\_, 2018

BY THE ORDER OF THE TOWN BOARD OF

THE TOWN OF KENT

[—] deleted text

— added text



**EAST OF HUDSON  
WATERSHED CORPORATION**

2 Route 164, Suite 2  
Patterson, NY 12563  
Tel: 845-319-6349  
Fax: 845-319-6391

2

November 27, 2018

Supervisor Maureen Fleming  
Town of Kent  
25 Sybil's Crossing  
Kent Lakes, NY 10512

RE: EOHWC, Year 8 (2019) Town of Kent Projects

Dear Supervisor Fleming:

The East of Hudson Watershed Corporation (EOHWC) is a Regional Stormwater Entity (RSE) with 19 members (18 municipalities and one County), operating in 18 municipalities and three Counties in the EOH watershed. The EOHWC is operated for charitable purposes and was established to administer, coordinate, and implement the East of Hudson (EOH) regional stormwater retrofit projects (SRPs) with funding made available by the NYCDEP, Westchester County, and Putnam County. The regional stormwater retrofit plans were developed as a response to the heightened phosphorus removal requirements of the New York State Department of Environmental Conservation (NYSDEC) General Permit GP-0-08-002 Municipal Separate Storm Sewer Systems Permit (MS4 General Permit).

As you may be aware, participation within the New York State phosphorus reduction program is a requirement for each MS4. EOHWC staff and contractors have worked with the Town in selecting a group of projects we intend on pursuing, and we would like to take this opportunity to inform you and your Town Board of all new projects for the upcoming year. I will be available to answer any questions or concerns you may have at the next available Board Meeting.

Thank you for your time,

Kevin Fitzpatrick, P.E.  
Director of Engineering

Kent-BC-830

Rambler Rd

Stormwater Retrofit Project Summary Sheet  
Kent-BC-830

**1. PROJECT DESCRIPTION**

The proposed SRP is for the installation of a filter chamber unit on Town property, at the intersection of Rambler Rd and Seven Lakes Drive in Kent, NY. An alternative approach may be to install a wet pond on private property adjacent to the filter location.

Table 1 SRP Summary

Drainage Area	Area (ac)	Ownership	Estimated P Load (kg/yr)	Proposed SRP	Removal Efficiency (%)	Estimated P Removal (kg/yr)	Notes
1	9.9	Town	5.46	Filter Chamber	50	2.73	None

**2. PROJECT LOCATION**

**2.1 Location/Utilities**

See Attachment A for aerial photos and topography of the project sites.

**2.2 Property Ownership**

All SRP components will be installed on Town property, in the ROW.

**3. PERMITTING REQUIREMENTS**

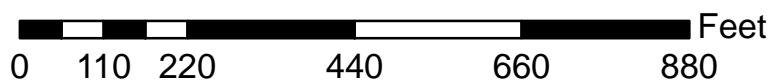
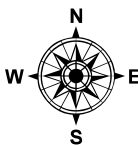
Based on our preliminary evaluation, EOHWC believes the following permits may be required for this project. A thorough investigation should be completed by the design engineer for accuracy. This list is provided for information only, and the proposer shall include permitting in their proposal:

- NYSDEC General Permit coverage

**4. LIST OF ATTACHMENTS**

- Design Review Worksheet
- Aerial and Topographic Photos





Coordinate System: NAD 1983 UTM Zone 18N  
Central Meridian: 75°0'0"W

EAST OF HUDSON WATERSHED CORPORATION  
Seven Hills Lake Rd and Rambler Rd



Kent-CF-845

Palmer Lake

Stormwater Retrofit Project Summary Sheet  
Kent-CF-845

**1. PROJECT DESCRIPTION**

The proposed SRP is for the installation of a Wet ED Pond on private property, at the intersection of Palmer Trail and Route 52 in Kent, NY. The project will require installation of new infrastructure on various sites to secure the necessary water quality volume to be treated.

Table 1 SRP Summary

Drainage Area	Area (ac)	Ownership	Estimated P Load (kg/yr)	Proposed SRP	Removal Efficiency (%)	Estimated P Removal (kg/yr)	Notes
1	35.2	Private	15.08	Wet ED Pond	55	8.29	None

**2. PROJECT LOCATION**

**2.1 Location/Utilities**

See Attachment A for aerial photos and topography of the project sites.

**2.2 Property Ownership**

All SRP components will be installed on Private property.

**3. PERMITTING REQUIREMENTS**

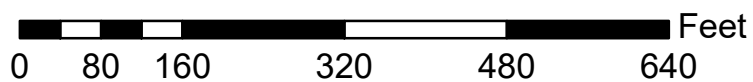
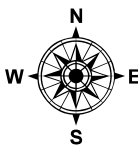
Based on our preliminary evaluation, EOHWC believes the following permits may be required for this project. A thorough investigation should be completed by the design engineer for accuracy. This list is provided for information only, and the proposer shall include permitting in their proposal:

- NYSDEC General Permit coverage
- NYSDEC Wetland Disturbance Permit

**4. LIST OF ATTACHMENTS**

- Design Review Worksheet
- Aerial and Topographic Photos





Coordinate System: NAD 1983 UTM Zone 18N  
Central Meridian: 75°0'0"W

## EAST OF HUDSON WATERSHED CORPORATION Palmer Lake Retrofit



Kent-WB-815

M ‡ "

## Kent Elementary School (A)

M - 0 " "







**RENNIA ENGINEERING DESIGN, PLLC**

CIVIL • ENVIRONMENTAL • STRUCTURAL

8 Dover Village Plaza, Suite 5, P.O. Box 400, Dover Plains, NY 12622  
Tel. (845) 877-0555 Fax: (845) 877-0556**PHOSPHORUS LOADING AND REDUCTION CALCULATION SHEET**

Project #: Kent-6 A  
Prepared for: East of Hudson Coalition  
Prepared by: CRP  
Project County: Putnam

**Kent-6 A: Kent Elementary School - A****WATER QUALITY VOLUME:**  $WQv(\text{acre-feet}) = [(P)(Rv)(A)] / 12$ 

A = 3 acres where: A = Contributing Area (acres)  
I = 3 100.00% I = Impervious Area (acres/%)  
P = 1.2 inches P = 90th Percentile Rainfall Event Number (in)  
Rv = Runoff Coefficient [0.05 + 0.009(I)]  
WQv = Water Quality Volume

**Rv** (calculated) = 0.9500**Rv** (min)\*\* = 0.9500**WQv (acre-ft)** = 0.285**WQv (cu-ft)** = 12415

\*\*Minimum Rv = 0.2 when determining WQv. Use calculated Rv when determining phosphorus loading.

**PHOSPHORUS LOADING:****Simple Method:**  $P \text{ Load} = P \times Pj \times Rv \times C \times A \times 0.103$ 

P = 45 where: P Load = Annual load (kg/yr)  
Pj = 0.9 P = Annual Rainfall (inches)  
Rv = 0.9500 Pj = Fraction of rainfall producing Runoff = 0.9  
A = 3 Rv = Runoff Coefficient  
C = 0.50 C = Pollutant Concentration (mg/l)  
A = A = Contributing Area (acres)

**Weighted Loading Coefficients**

Land Use	% of Total Area
Residential	0
Commercial	0
Industrial	0
Actively Grazed Pasture	0
Forest	0
Impervious	1
Developed Open Space	0

Weighted "C": 0.50

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6 Dover Village Plaza, Suite 5, P.O. Box 400, Dover Plains, NY 12522  
Tel: (845) 877-0555 Fax: (845) 877-0556**PROPOSED RETROFIT PRACTICE AND ANTICIPATED REDUCTION:**

Proposed Retrofit Practice:

Removal Efficiency:

**P Load** ----->**P Removal** ----->**Subsurface Infiltration****100%****13.10 lb/yr****5.94 kg/yr****13.10 lb/yr****5.94 kg/yr****4.75 kg/yr****Assume 80% of WQv treated****Summary:**

Proposed Retrofit Practice	Subsurface Infiltration		
Drainage Area (acres)	<b>3.0</b>	Phosphorus Loading (kg/yr)	<b>5.94</b>
Water Quality Volume (cf)	<b>12415</b>	Phosphorus Reduction (kg/yr)	<b>4.75</b>

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8 Dover Village Plaza, Suite 5, P.O. Box 400, Dover Plains, NY 12622  
Tel. (845) 877-0555 Fax: (845) 877-0556**PHOSPHORUS LOADING AND REDUCTION CALCULATION SHEET**

Project #: Kent-6 B  
Prepared for: East of Hudson Coalition  
Prepared by: CRP  
Project County: Putnam

**Kent-6 B: Kent Elementary & Primary Schools****WATER QUALITY VOLUME:**  $WQv(\text{acre-feet}) = [(P)(Rv)(A)] / 12$ 

A = 2.7 acres where: A = Contributing Area (acres)  
I = 2.5 92.59% I = Impervious Area (acres/%)  
P = 1.2 inches P = 90th Percentile Rainfall Event Number (in)  
Rv = Runoff Coefficient [0.05 + 0.009(I)]  
WQv = Water Quality Volume

Rv (calculated) = 0.8833  
Rv (min)\*\* = 0.8833  
WQv (acre-ft) = 0.239  
WQv (cu-ft) = 10389

\*\*Minimum Rv = 0.2 when determining WQv. Use calculated Rv when determining phosphorus loading.

**PHOSPHORUS LOADING:****Simple Method:**  $P \text{ Load} = P \times Pj \times Rv \times C \times A \times 0.103$ 

P = 45 where: P Load = Annual load (kg/yr)  
Pj = 0.9 P = Annual Rainfall (inches)  
Rv = 0.8833 Pj = Fraction of rainfall producing Runoff = 0.9  
A = 2.7 Rv = Runoff Coefficient  
C = 0.49 C = Pollutant Concentration (mg/l)  
A = A = Contributing Area (acres)

**Weighted Loading Coefficients**

Land Use	% of Total Area
Residential	0
Commercial	0
Industrial	0
Actively Grazed Pasture	0
Forest	0
Impervious	0.93
Developed Open Space	0.073

Weighted "C": 0.49





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Tel: (845) 877-0555 Fax: (845) 877-0556



### PROPOSED RETROFIT PRACTICE AND ANTICIPATED REDUCTION:

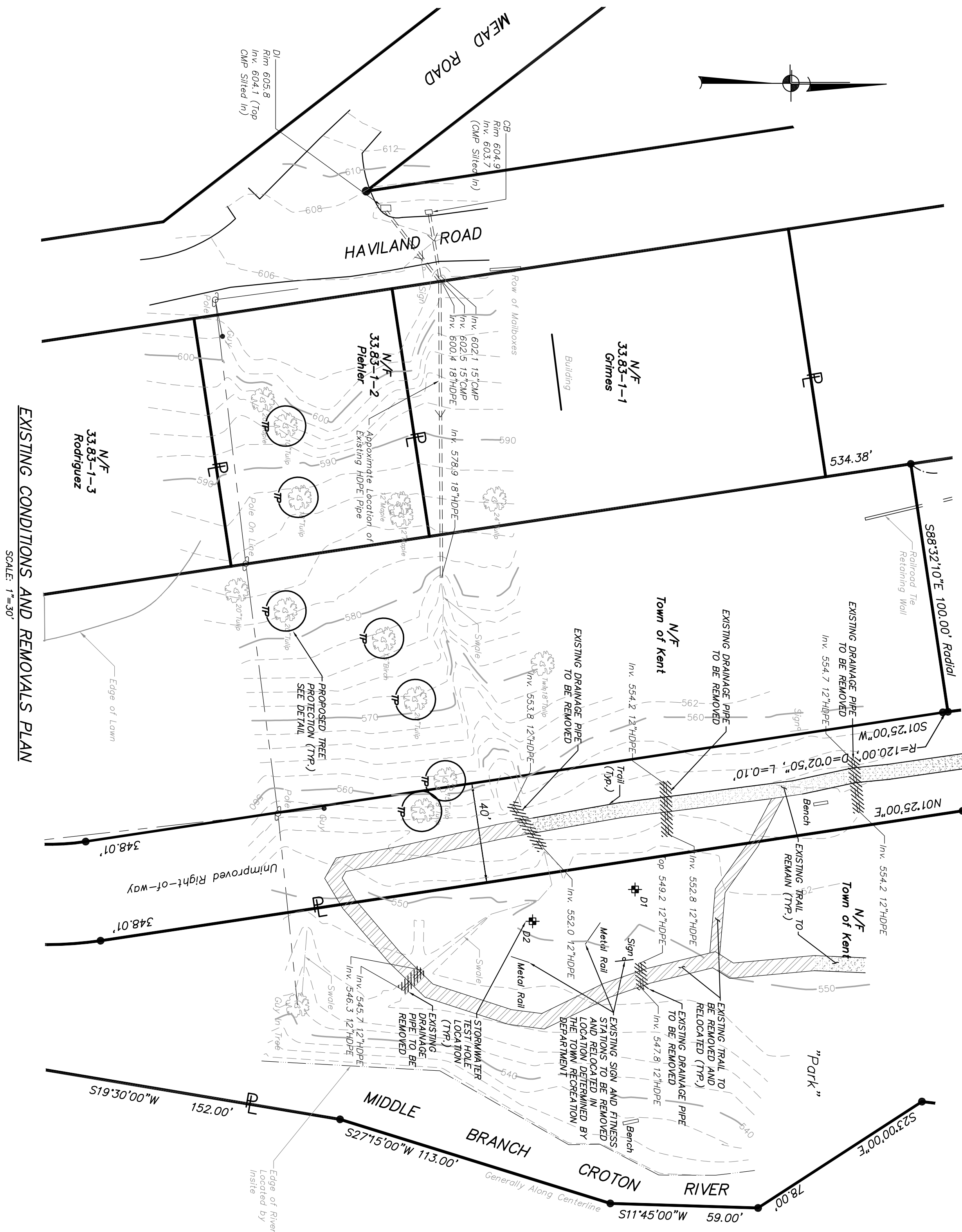
Proposed Retrofit Practice:	<b>Surface Sand Filter</b>
Removal Efficiency:	<b>59%</b>
<b>P Load</b> ----->	<b>10.67 lb/yr</b>
	<b>4.84 kg/yr</b>
<b>P Removal</b> ----->	<b>6.29 lb/yr</b>
	<b>2.86 kg/yr</b>

### Summary:

Proposed Retrofit Practice	Surface Sand Filter		
Drainage Area (acres)	<b>2.7</b>	Phosphorus Loading (kg/yr)	<b>4.84</b>
Water Quality Volume (cf)	<b>10389</b>	Phosphorus Reduction (kg/yr)	<b>2.86</b>

CONSTRUCTION NOTES:

1. The subject project (the coverage under the New York State Department of Environmental Conservation's Special Permit for Stormwater Discharges from Construction Activity, permit No. 01010015-002, statement that they understood and agree to comply with the requirements of §20-0.5-0.02, the general permit GR-01-15-002 can be found at <http://www.dec.state.ny.us/dec/water-aq/decgscsm10a.pdf>).
2. Storing / Storage areas will be made available to the Contractor for the projects as shown on Drawing SP-3.
3. All pre-cast concrete drainage structures, frames, and grates are to meet H-20 loading requirements.
4. All drainage structures shall be fabricated with pre-cast concrete sections. Drainage structures with materials that will not be accepted by the Engineer.
5. The contractor shall locate the existing drainage pipe, and provide the Engineer with the existing pipe layout. The location of the existing pipe shall be determined prior to fabrication of the flow splitter (FS 4 and drain inlet (DI 5).
6. Engineer to approve final locations and elevations of all structures prior to placement.
7. All signs shall be replaced in their respective preconstruction general location at the completion of construction.
8. The contractor shall field verify all dimensions relative to the scope of work.
9. It shall be the contractor's responsibility to identify and protect all underground utilities. The contractor shall contact Dig Safe/ New York at 811 or 1-800-962-7922 and any other required utility locators prior to the start of construction.
10. The contractor shall coordinate the layout of the work with the owner, and the project engineer, and eliminate all conflicts including but not limited to utility location, conflicts, prior to commencement of construction. To verify the size, type, location and invert of the existing utility, and eliminate any conflicts without resulting in a delay in work.
11. The contractor shall field verify the existing grades / utility locations prior to commencement of any work. Any discrepancy shall be reported to the owner and project engineer when identified.
12. All existing vegetation not proposed to be removed shall be protected from damage, and if damaged replaced at the contractor's expense.
13. The contractor will be field responsible for all damage caused to existing utilities / features / facilities during execution of the work, and proposed to be modified or removed by this contract. All damage to any existing utilities / features / facilities not proposed to be modified by the contract shall be repaired or replaced by the contractor to the satisfaction of the owner at no additional cost.
14. Original condition shall mean the condition in which the feature was found at the start of construction.
15. The contractor shall provide all removals incidental and necessary to enable the work prescribed in the contract documents. All existing features specified to be removed shall be removed in their entirety unless otherwise authorized in writing by the owner or the Engineer.
16. During execution of the work, the contractor shall be responsible for dewatering and control of surface water in accordance with the New York State Standards and Specifications for Erosion and Sediment Control, as found at <http://www.dec.state.ny.us/dec/water-aq/decgscsm10a.pdf>.
17. The contractor shall be responsible for the implementation of erosion and sediment controls as required by the New York State Standards and Specifications for Erosion and Sediment Control, as found at <http://www.dec.state.ny.us/dec/water-aq/decgscsm10a.pdf>. All erosion and sediment controls may be included but are not limited to silt fences and a stabilized construction entrance. All erosion and sediment controls shall be installed in accordance with the New York State Standards required during construction by the Engineer.
18. The earth bank, within the limits of disturbance shall be repaired and relocated in a location deemed appropriate by the Town of West Park District by the completion of construction.
19. All existing pavement shall be cleaned and swept prior to the completion of construction.
20. All excess soil material shall be disposed of by contractor's office.



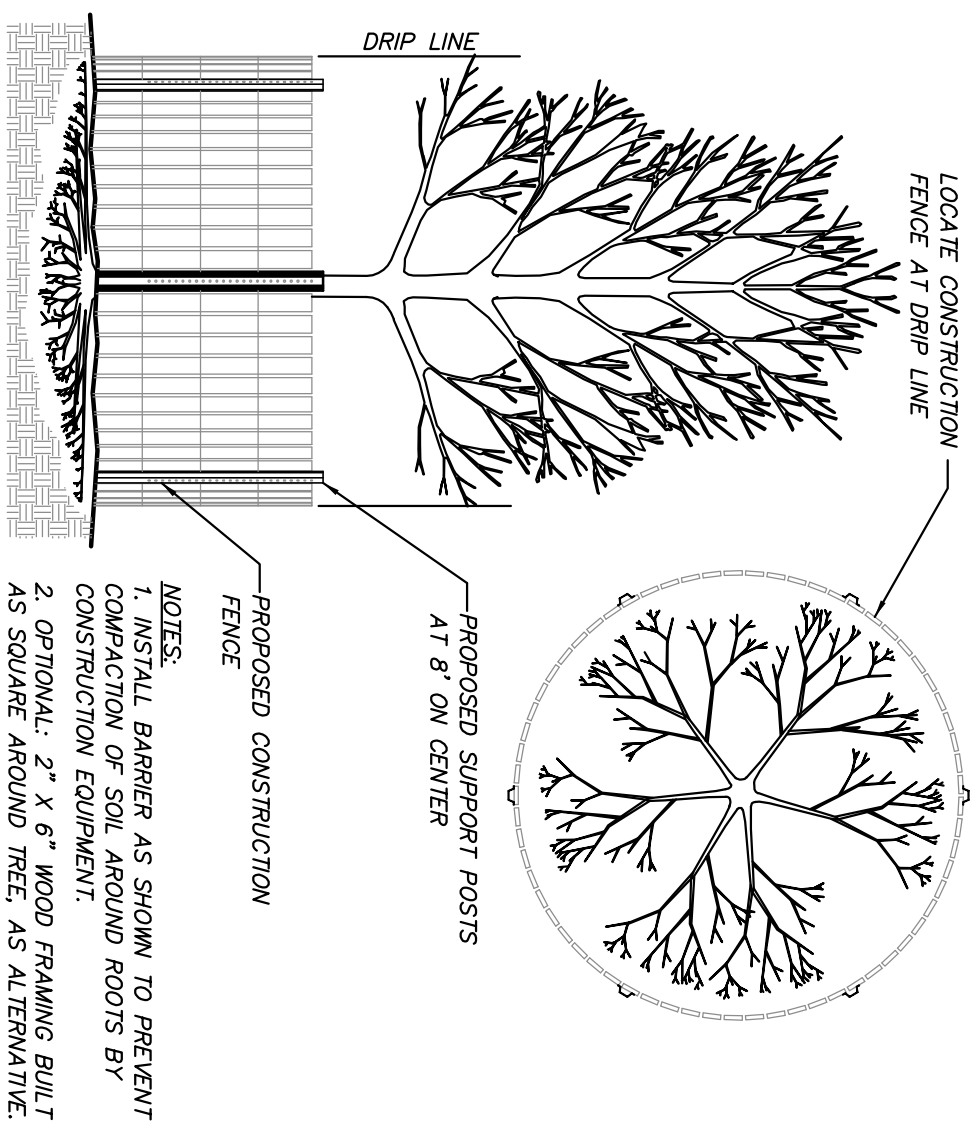
## EXISTING CONDITIONS AND REMOVALS PLAN

SCALE: 1"=30'

<b><i>ECHOHC KENT-MB-602 DRAWING LIST</i></b>		
<b>DRAWING NO.</b>	<b>DRAWING NAME</b>	<b>SHEET NO.</b>
EX-1	EXISTING CONDITIONS & REMOVALS PLAN	1
SP-1	LAYOUT AND LANDSCAPE PLAN	2
SP-2	GRADING AND UTILITIES PLAN	3
SP-3	EROSION AND SEDIMENT CONTROL PLAN	4

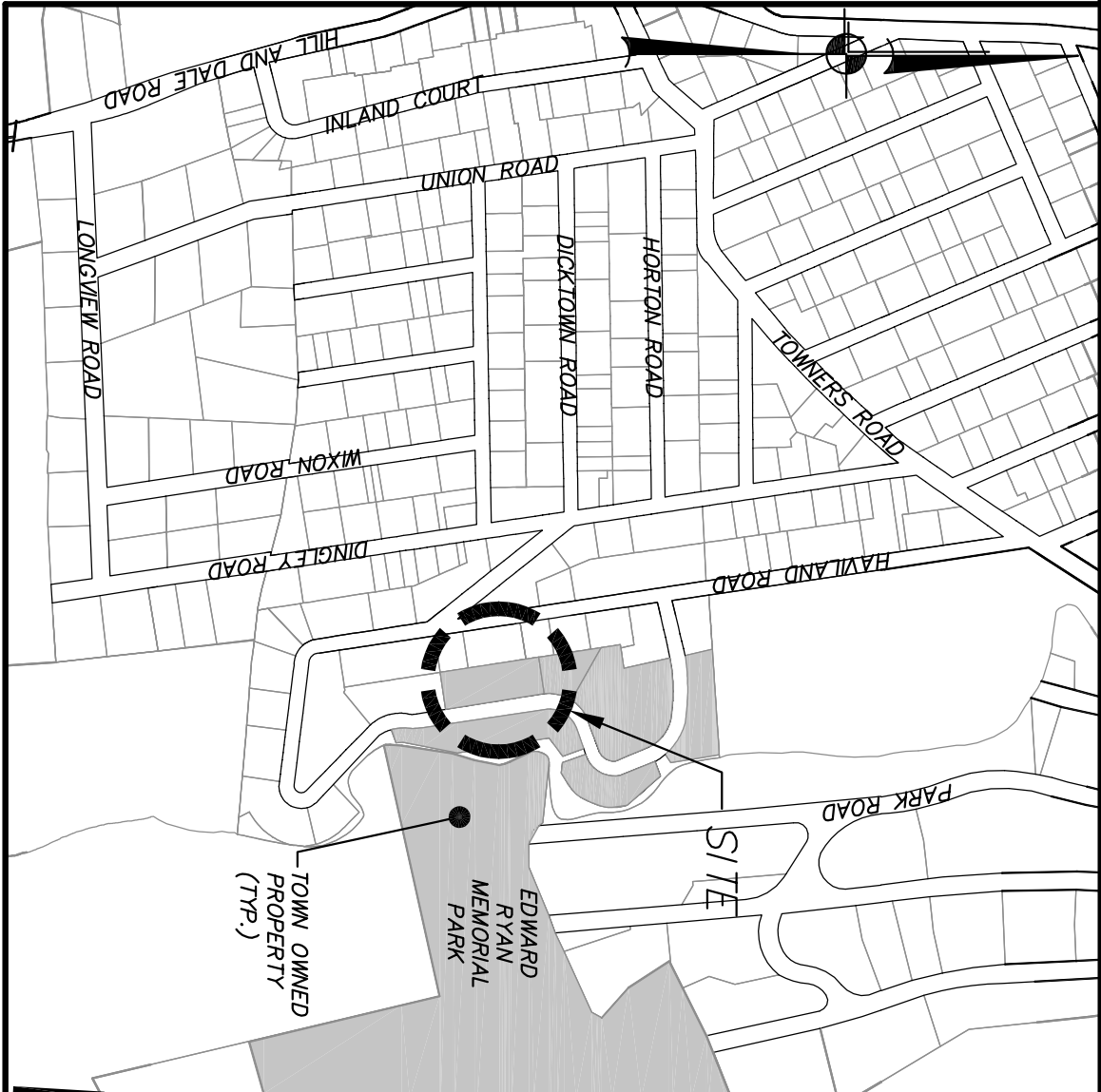
**LEGEND**

- EXISTING PROPERTY LINE
- EXISTING 10' CONTOUR
- EXISTING 2' CONTOUR
- EXISTING OVERHEAD UTILITY WIRE
- EXISTING UTILITY POLE
- EXISTING CATCH BASIN
- EXISTING PIPE
- EXISTING TREE
- EXISTING EDGE OF STREAM
- PROPOSED TREE PROTECTION



### TREE PROTECTION DETAIL

(N.T.S.)



## LOCATION MAP

SCALE: 1" = 500'±

PROPERTY OWNER:

Town of Kent  
25 Sybil's Crossing  
Kent Lakes, NY 10512

Zone: R-10  
Tax Map No.: 33.83-1-7  
33.75-1-9

CONTRACT OWNER:

East of Hudson Watershed Corporation  
P.O. Box 176  
Patterson, NY 12563

GENERAL NOTES:

1. Existing property boundaries shown hereon are taken from a map entitled "Survey of Property Proposed for Town of Kent Situate in the Town of Kent, Putnam County New York," Prepared by Taconic Surveying & Engineering, P.C., dated May 26, 1996.
2. Existing topography is based upon fieldwork performed by Insite Engineering, Surveying & Landscape Architects, P.C. completed December 12, 2017. Elevation shown hereon are referenced to an arbitrary datum. The contour interval is 2'.

STORMWATER DESIGN DATA:


DEEP TEST HOLE RESULTS:  
(DEEP TEST HOLES PERFORMED ON APRIL 27, 2018 WITNESSED BY INSITE ENGINEERING, SURVEYING AND LANDSCAPE ARCHITECTURE, P.C.)

NOEL DI.	0-6	FOR SOIL
	6"-84"	LIGHT BROWN SILTY SAND

HOLE D2: 0"-6" TOPSOIL

GROUNDWATER AT 48"

1	7-27-18	ISSUED FOR BIDDING	EXP
NO.	DATE	REVISION	BY



**INSITE**  
ENGINEERING, SURVEYING &  
LANDSCAPE ARCHITECTURE, P.C.

3 Garrett Place  
Carmel, NY 10512  
(845) 225-6690  
(845) 225-9717 fax  
[www.insite-eng.com](http://www.insite-eng.com)

PROJECT:

EOHWC KENT-MB-602

EDWARD RYAN MEMORIAL PARK, TOWN OF KENT, NEW YORK

**DRAWING:**

**EXISTING CONDITIONS AND**

## REMOVALS PLAN

	0 0 0 7 0 4
	0 0 0 7 0 4

NUMBER	DRAWN
1	70
2	40

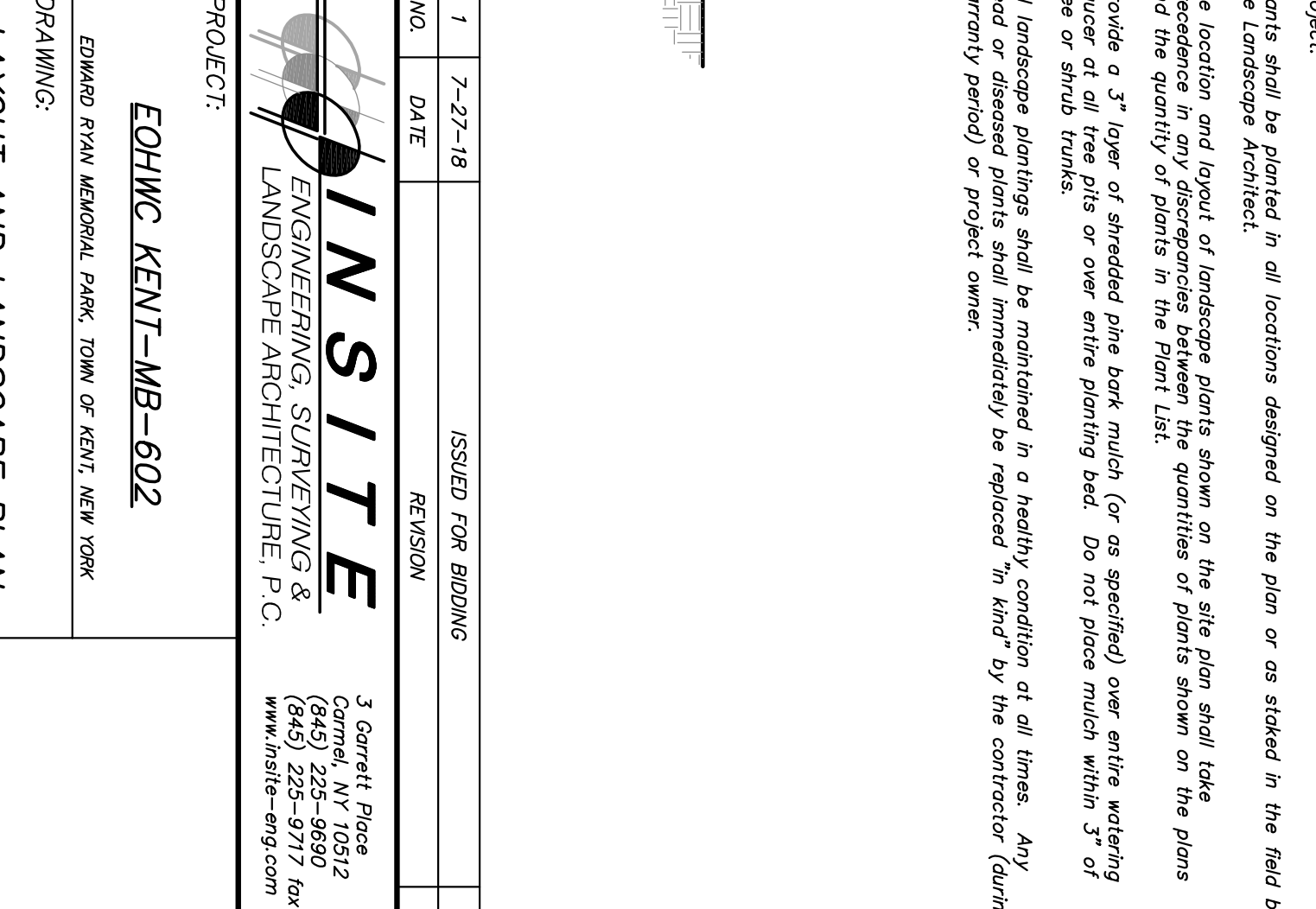
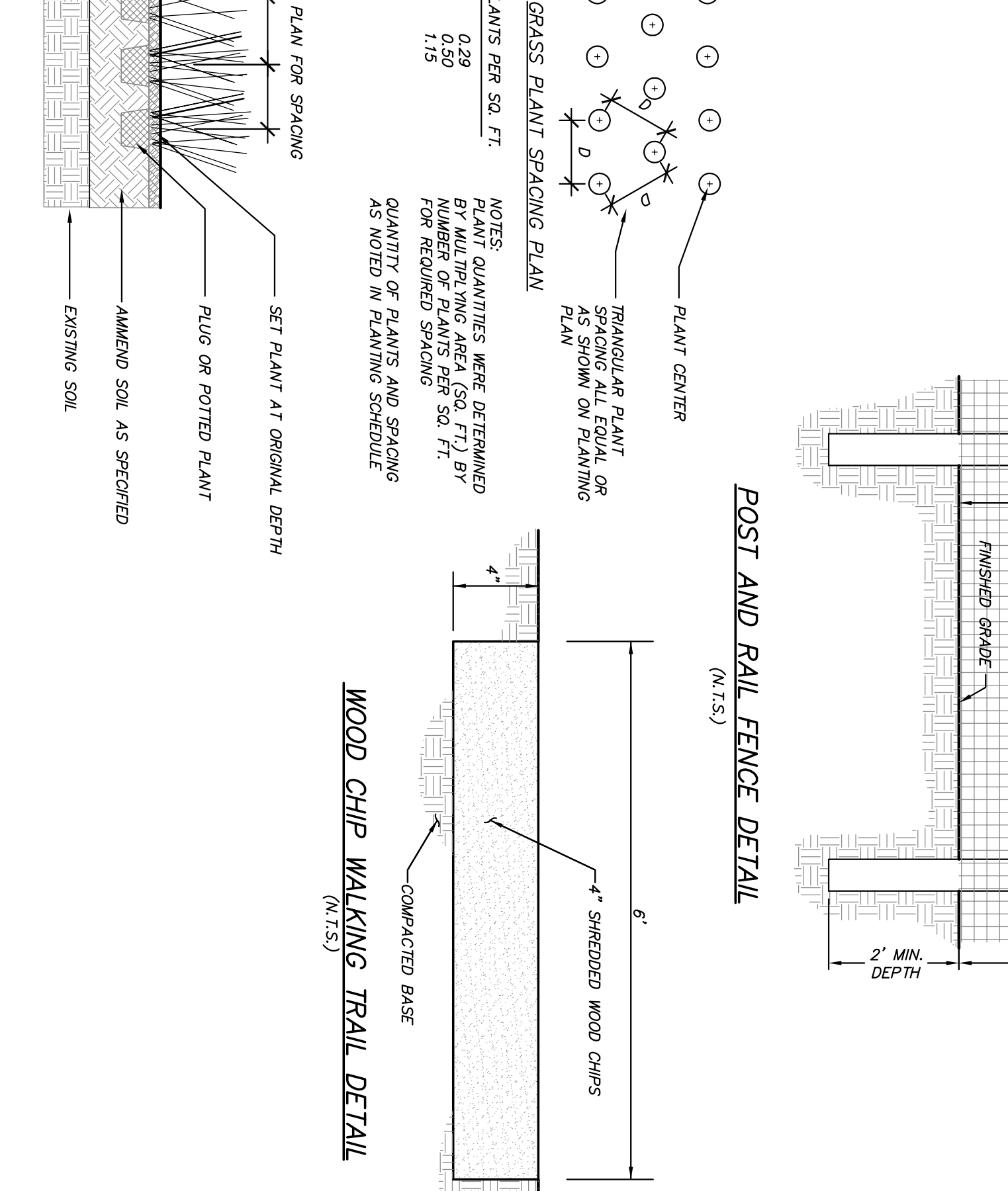
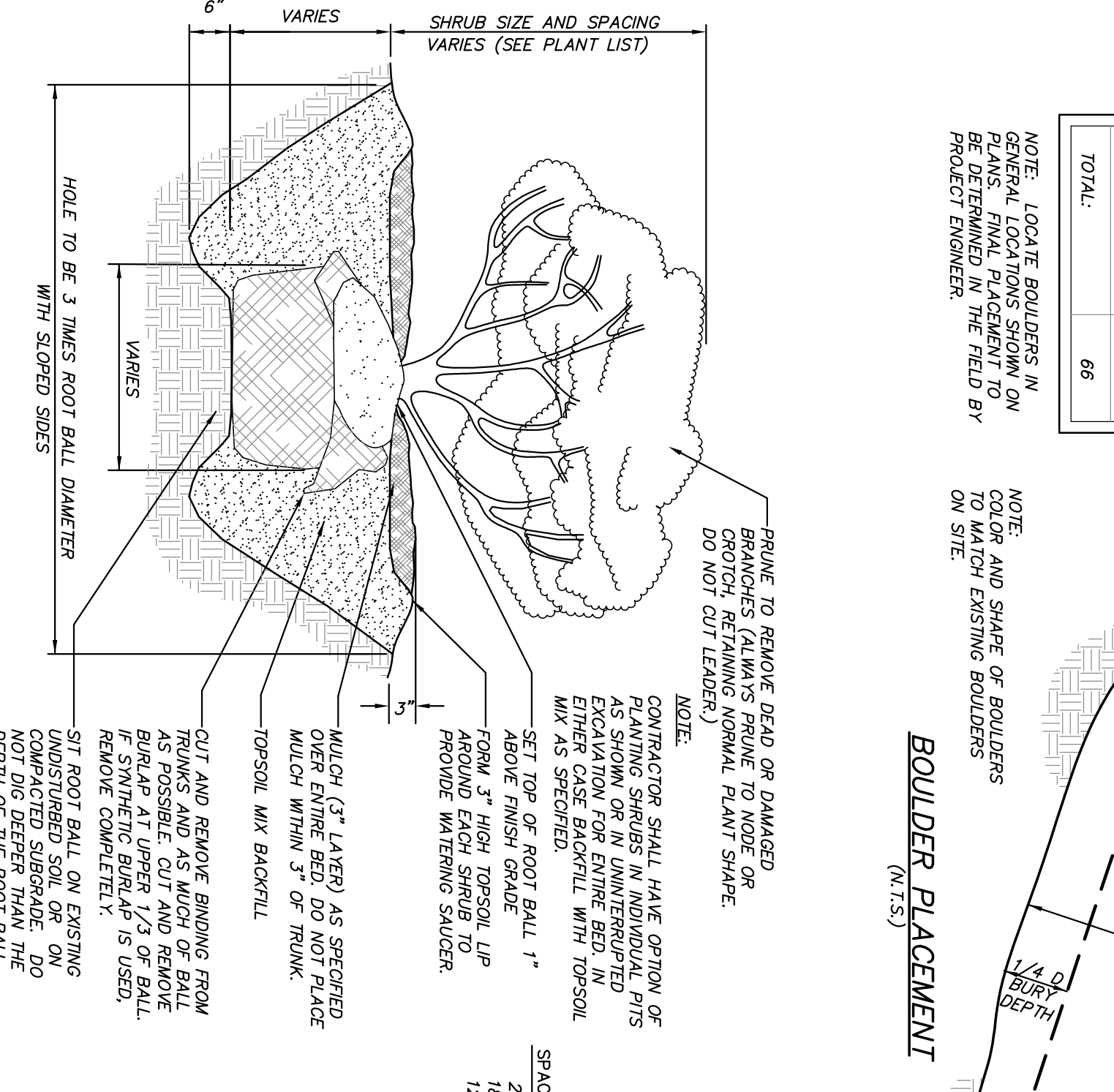
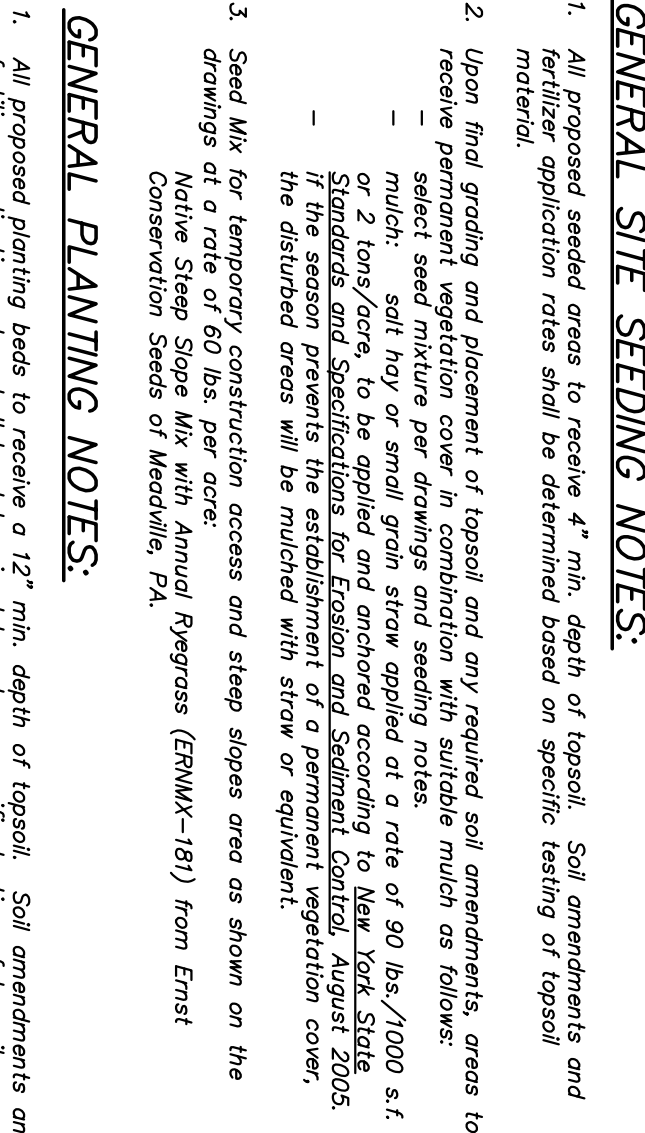
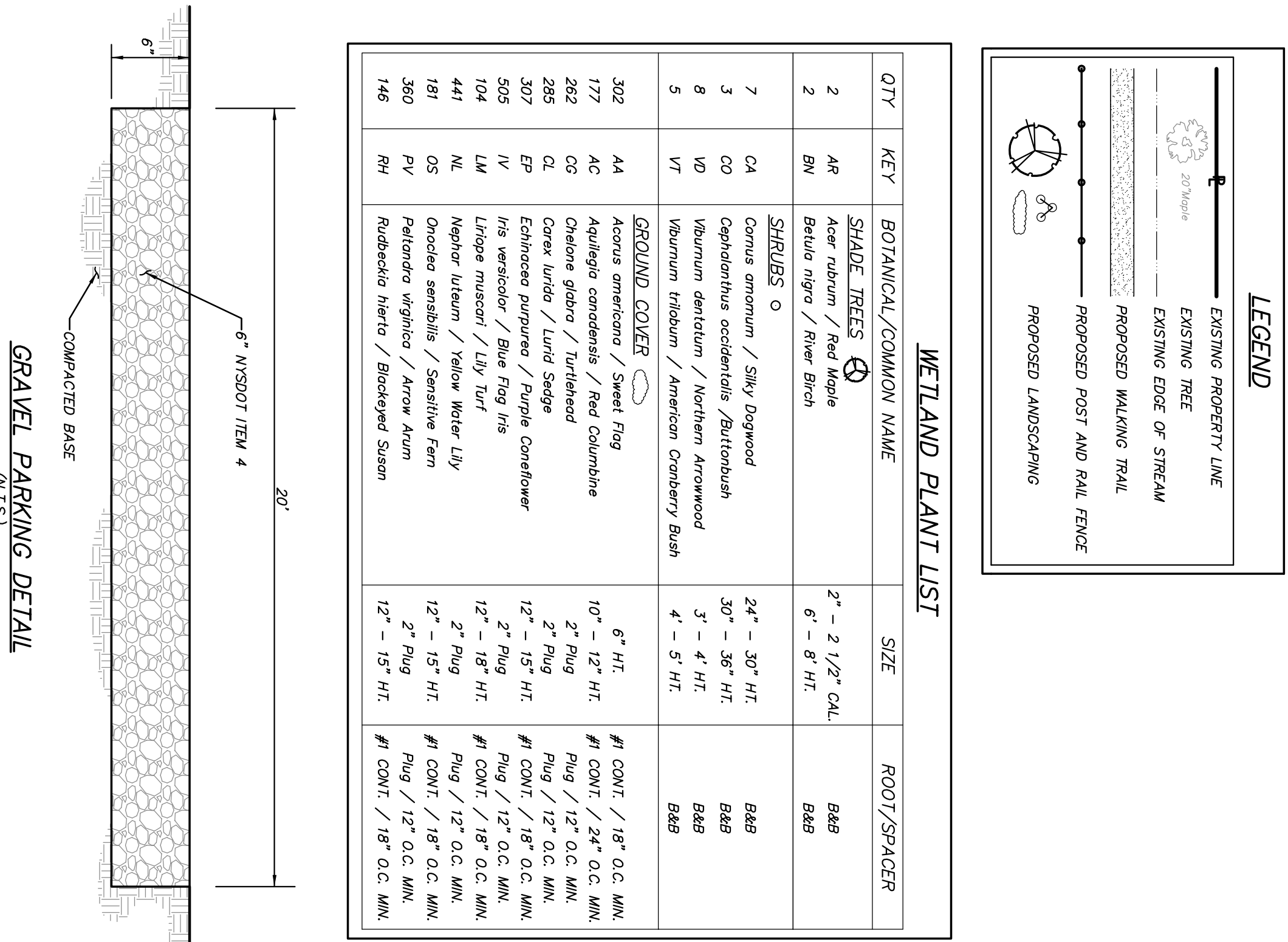
SCALE 1" = 30'

CHECKED BY

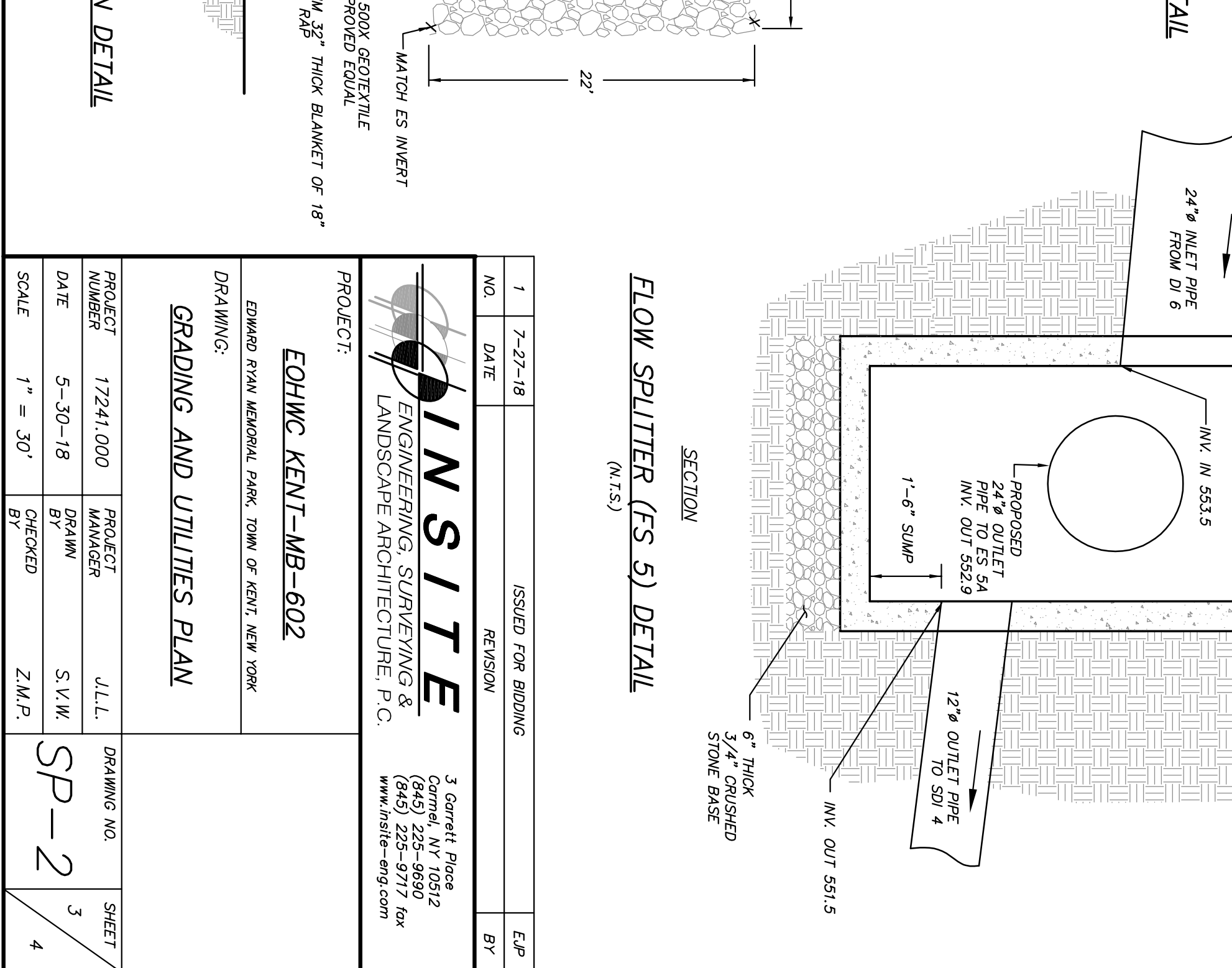
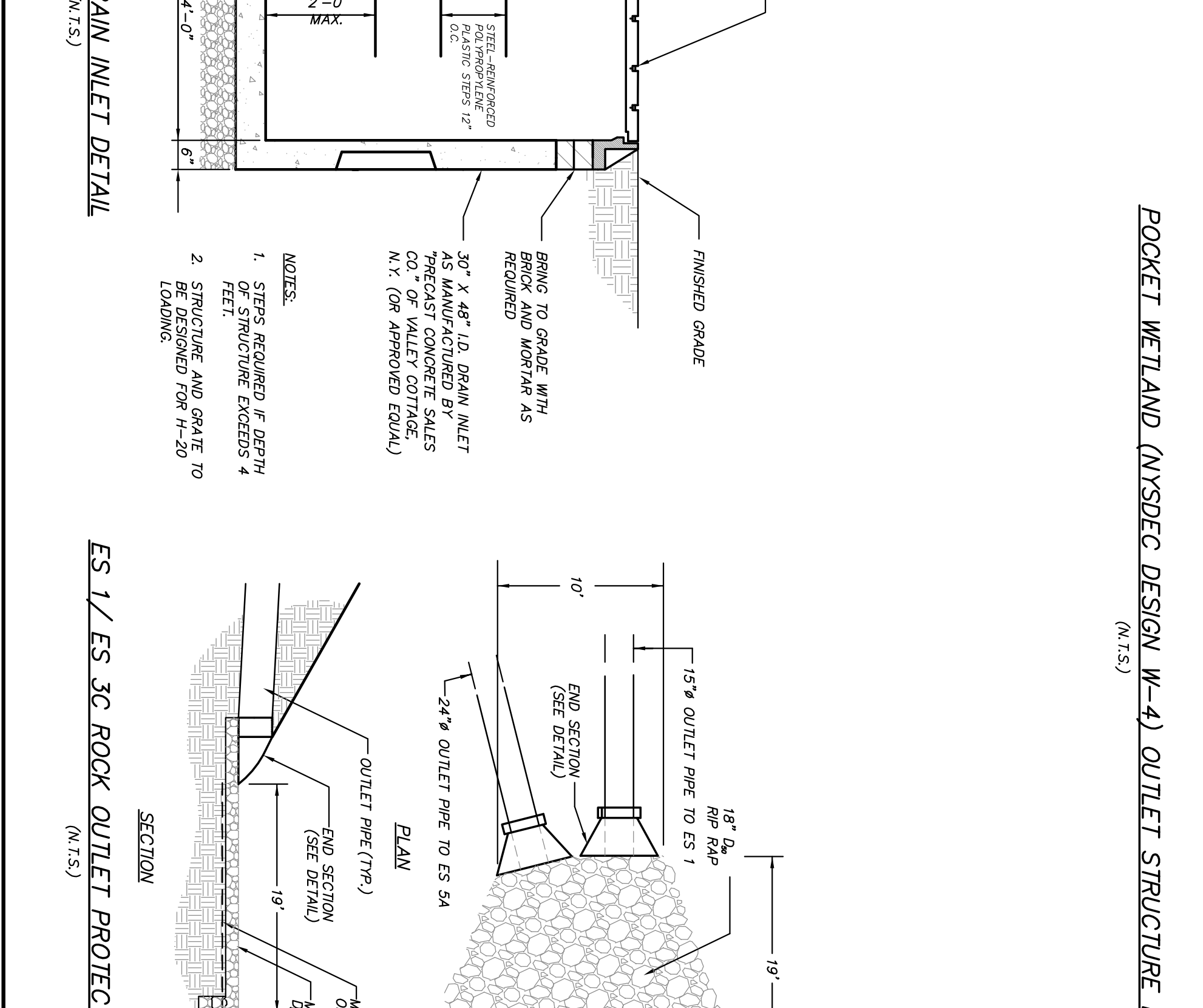
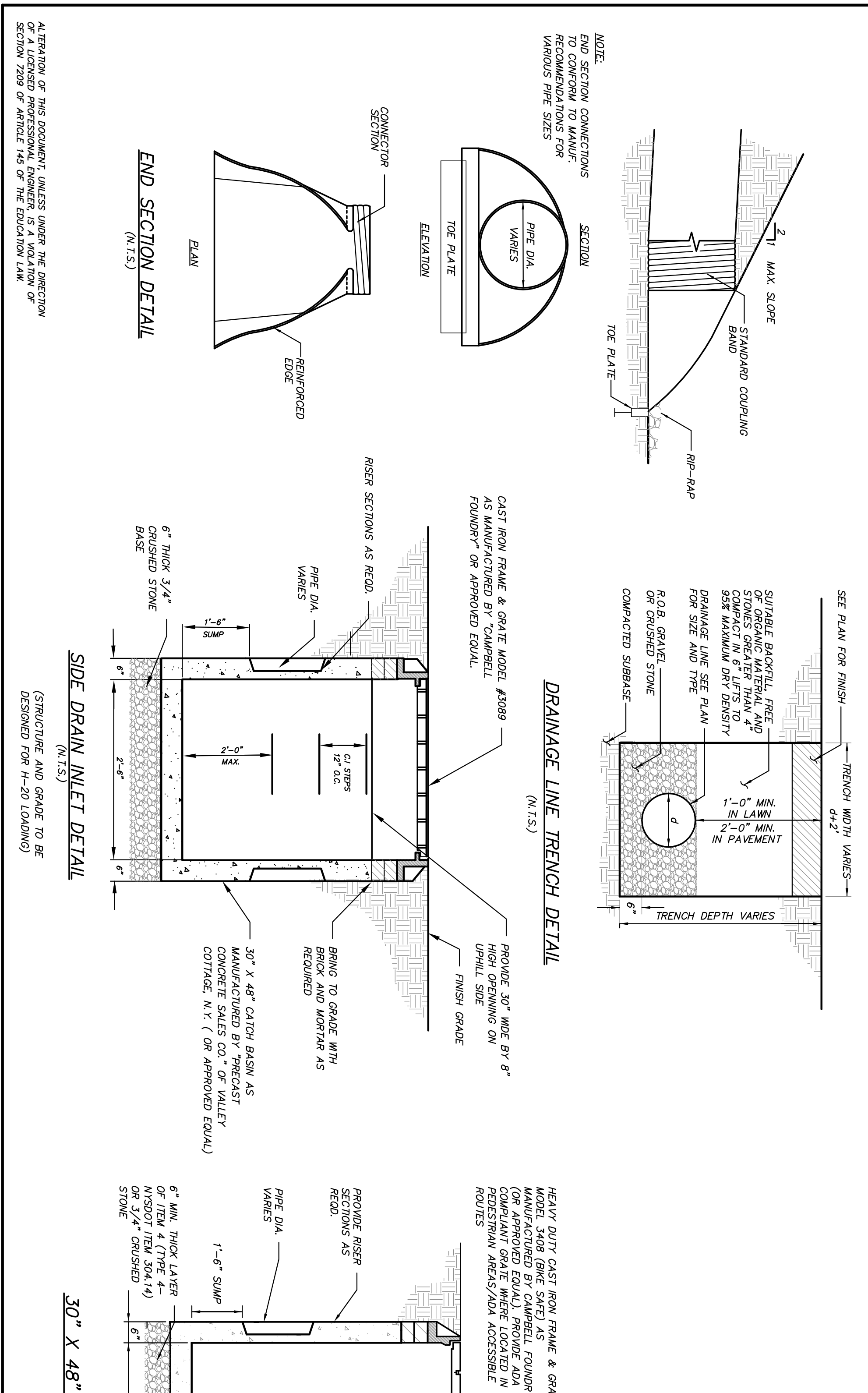
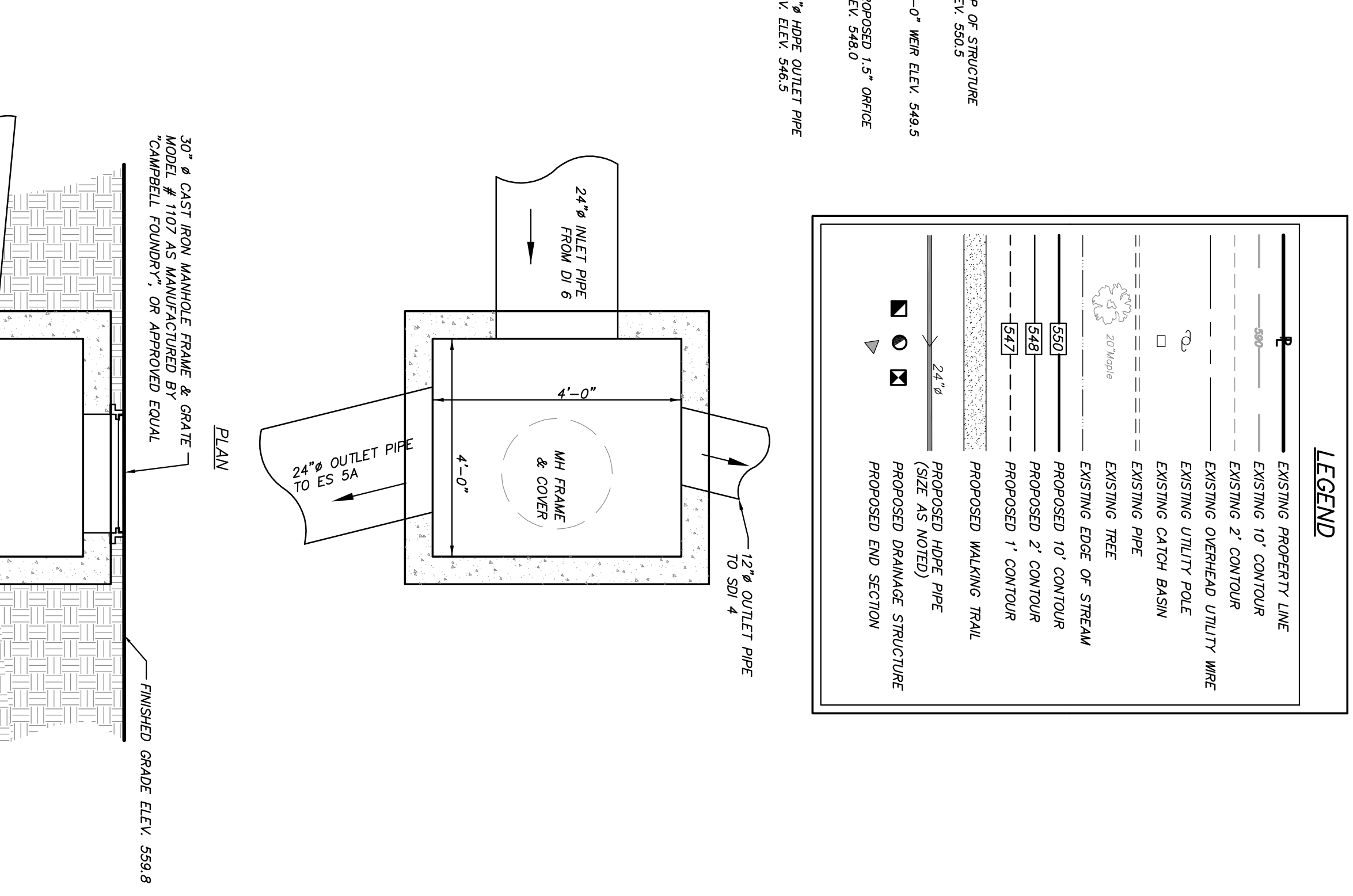
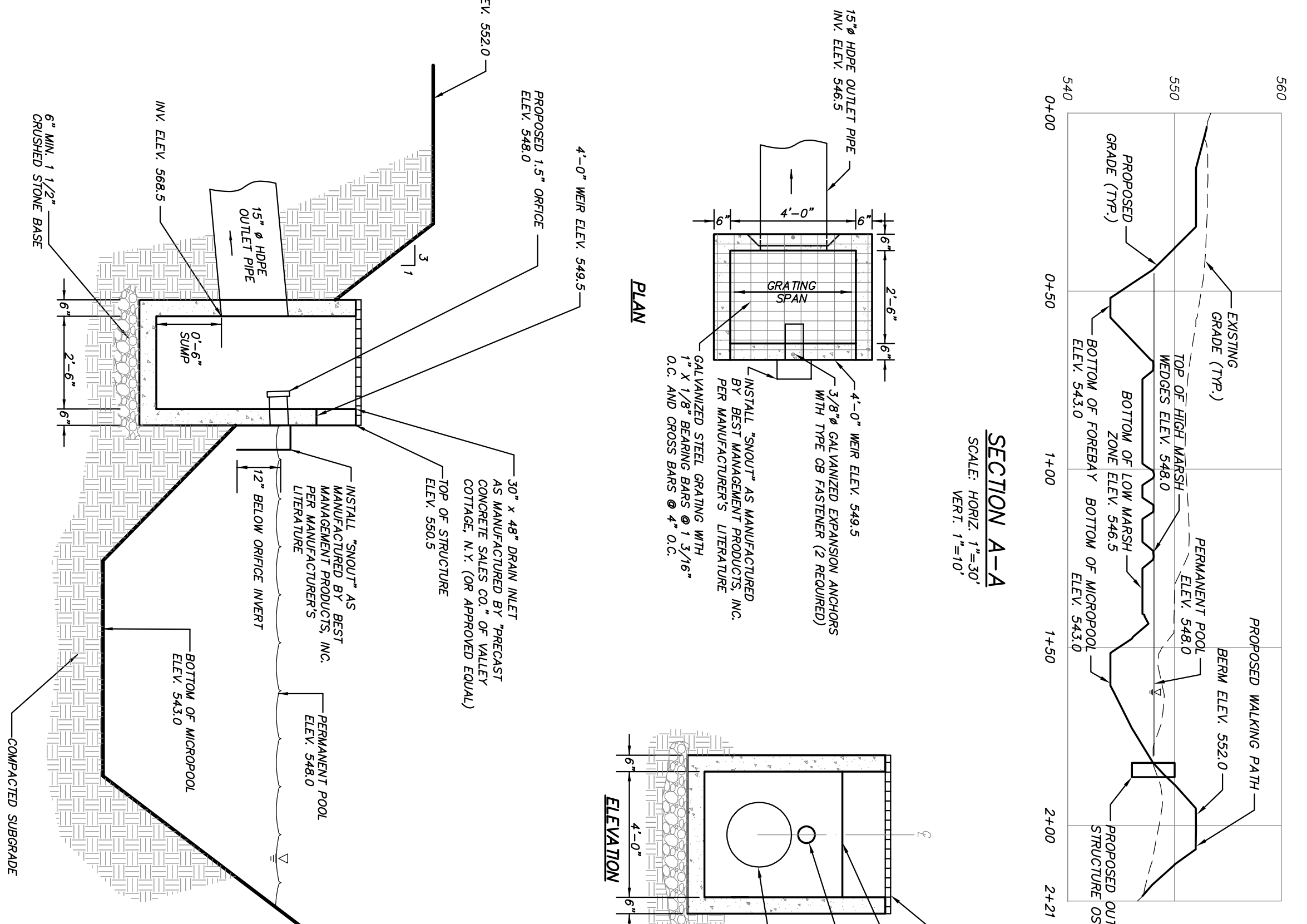
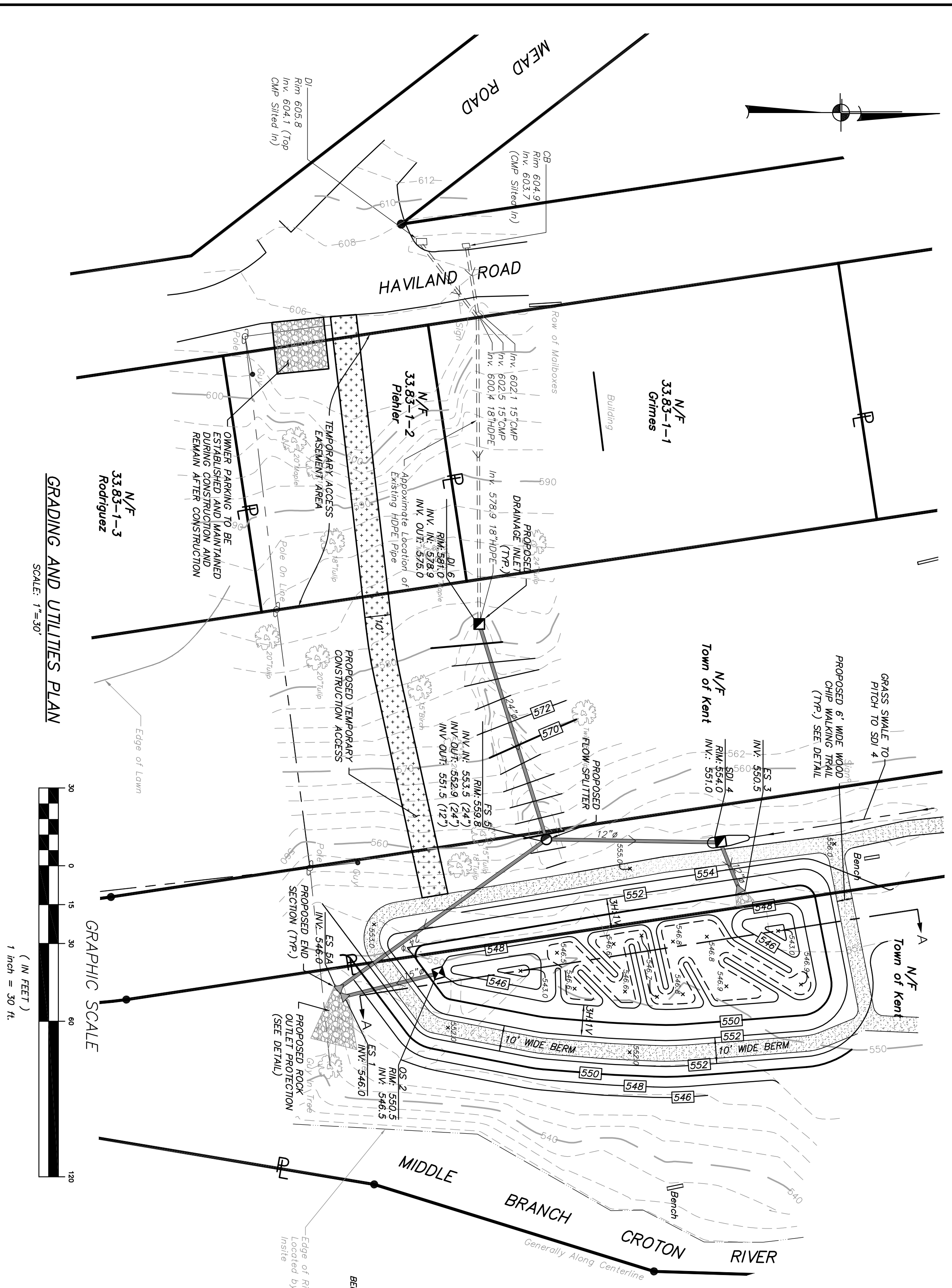
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4













**From:** Highway Kent  
**Sent:** Thursday, November 29, 2018 11:41 AM  
**To:** Rich Othmer  
**Subject:** Fw: Request to Install Livestock Crossing signs

**From:** Omer Fahim <ofm.fahim@yahoo.com>  
**Sent:** Thursday, November 29, 2018 10:46 AM  
**To:** Highway Kent  
**Subject:** Fw: Request to Install Livestock Crossing signs

Hello,

My name is Omer Fahim - I own a farm located at 169 Dean Rd. Stormville NY 12582. My property is split in two by Dean Rd. (115 Acres on one side, 39 Acres on the other side). I have several animals on the farm which regularly cross over Dean Road.

I was wondering if we could place 2 Livestock Crossing signs one on each side of Dean Rd. near the farm.

I can purchase the signs my self and place them but I wanted to check if that would cause any issues.

Let me know if I'm contacting the right department or if this should be forwarded to another office.

Thanks,

Omer Fahim

**Tamara Harrison**

---

**From:** Planning Kent  
**Sent:** Friday, November 30, 2018 9:57 AM  
**To:** Maureen Fleming  
**Cc:** Lana Cappelli; Tamara Harrison; Nancy Tagliafierro (ntag@hoganandrossi.com)  
**Subject:** Roncallo Erosion Control Bond - Resolution 21 2018  
**Attachments:** Resolution 21 Roncallo Bond Nov 2018.pdf

Please find attached an Erosion Control Bond and supporting documentation for the Roncallo property. The Planning Board asked that the Town Board review this material, and if they agree with the Planning Board's recommendation, to accept this bond in the amount of \$7,730.00 and a check for the final inspection in the amount of \$1,000.00

Vera Patterson  
Kent Planning Board  
25 Sybil's Crossing  
Kent, NY 10512  
845-225-7802 (T)  
845-306-5283 (F)  
planningkent@townofkentny.gov

Town of Kent Planning Board  
25 Sybil's Crossing  
Tel: 845-225-7802

email: [planningkent@townofkentny.gov](mailto:planningkent@townofkentny.gov)  
Kent, NY 10512  
Fax: 845-306-5283

---

RESOLUTION 21  
FOR  
RONCALLO PROPERTY  
Year 2018

Date: November 29, 2018  
From: The Kent Planning Board  
To: The Kent Town Board:  
Maureen Fleming, Supervisor - w/Att.  
Bill Huestis, Deputy Supervisor  
Paul Denbaum  
Jaimie McGlasson  
Nancy Tagliafierro - w/Att  
Christine Woolley  
CC: W. Walters, Building Inspector - w/Att  
Tamara Harrison - w/Att.  
L. Cappelli, Town Clerk - w/Att  
Finance Department - w/Att.  
Re: Request to Accept Erosion Control Bond  
Paul Roncallo  
106 Tibet Drive  
Carmel, NY 10512  
Property:  
A Vacant lot on Tibet Drive  
Kent, NY  
TM: 30.20-1-15


Resolved: On November 8, 2018, the Kent Planning Board reviewed material submitted by John Karell, who represented Mr. Paul Roncallo, the owner of the property.

At Ms. Mangarillo's request on November 8, 2018, Mr. Tolmach asked for a motion to ask the Town Board to accept an erosion control bond in the amount of \$7,730.00 and an inspection fee of \$1,000.00. The motion was made by Giancarlo Gattucci and seconded by Charles Sisto. The roll call votes were as follows:

Phillip Tolmach, Chairman	<u>Aye</u>
Simon Carey	<u>Aye</u>
Giancarlo Gattucci	<u>Aye</u>
Dennis Lowes	<u>Aye</u>
Charles Sisto	<u>Aye</u>
Stephen Wilhelm	<u>Aye</u>

The motion carried.

Sincerely,

  
Vera Patterson, Secretary  
Kent Planning Board





# Memorandum

To: Planning Board  
Town of Kent

Attn: Philip Tolmach  
Chairman

From: Julie S. Mangarillo, P.E., CPESC

Subject: Erosion Control Plan

Date: November 11, 2018

Project: Roncallo – Tibet Drive  
TM # 30.20-1-15

The following materials were reviewed:

- Response letter prepared by John Karell, Jr., PE, dated October 12, 2018
- Erosion control cost estimate prepared by John Karell, Jr., PE, dated June 15, 2018
- Page 2 of Short Environmental Assessment Form (EAF)
- Drawings prepared by John Karell, Jr., PE, including:
  - S-1 Site Plan dated March 28, 2018, last revised 10/20/2018 with Health Department signature of 9/11/2018

This property received a Steep Slope and Erosion Control Permit in 2001 under the name "Cavallo". Construction on the project began and was suspended at some point. Currently there is a roughed-in driveway and a foundation. The approvals for the project have since expired. With the expiration of the prior approvals, a new application under the current code for Steep Slope and Erosion Control is being made.

The project is for a single family home with driveway, well and septic.

The subject Erosion and Sediment Control Plan is not approved. The following comments are provided for the Planning Board's consideration from a memo dated July 12, 2018:

1. The proposed project is not within the NYCDEP East of Hudson watershed and will disturb less than 1 acre of land. Coverage under NYSDEC SPDES General Permit for Stormwater Discharges from Construction Activity, GP-0-15-002 is not required.
2. A Town of Kent Steep Slope & Erosion & Sediment Control Permit is required.
5. Refer to the Drawings:
  - b. The proposed "Temporary siltation basin" – Identify the circular hatch areas. If they are rock out croppings, they may interfere with the siltation basin. What is the long-term plan for the basin? It appears footing and roof drains are directed to it. Recommend creating a stabilized overflow to the 12" CMP under Tibet Drive.

- i. 9/27/2018 - Label the circular hatch areas. Based on response letter it seems the temporary siltation basin will remain. Add a label or note indicating it is to remain.
- ii. 11/8/2018 – The October 12, 2018 response letter states “The circular hatched areas are extraneous from the auto cad program. They are not rock outcrops. They are not germane [sic] to this project and have been removed. The siltation basin will remain and is so noted.”

Referring to the topographical survey prepared by Badey & Watson, dated May 26, 2010, which serves as the base map for the drawing set, the circular hatched areas are labeled as “boulders”. There are three (3). The last revised S-1 has two (2) removed and one (1) remaining. These circular hatched areas should be restored and labeled as “boulders.” Additionally, the survey has other information/labels that should be included on the S-1 drawing. For example, the hatched polygon next to the concrete foundation is labeled as “ledge” on the survey, but not labeled on S-1. The survey has “bottom of slope” and “top of slope” labeled for disturbed slopes. The survey has individual trees labeled.

- 11. The applicant is responsible for full payment of actual costs of erosion control inspections. An initial inspection fee deposit of \$1000 is to be paid to the Town in accordance with the Town of Kent Fee Schedule. – **acknowledged**.

**New Comments:**

- 1. Revised drawing S-1 submitted has a Health Department approval signed 9/11/2018. The drawing also has a revision date of 10/20/2018. Presumably the revisions made after 9/11/2018 are regarding the erosion control permit review process. Provide a copy of the original, unaltered S-1 with Health Department approval signed 9/11/2018 with a separate drawing revised to address Erosion Control comments. Alternatively, have the Health Department re-sign the drawing after the 10/20/2018 revisions.
- 2. The applicant's engineer provided a bond estimate of \$6,930.00. We prepared a revised bond estimate to include the riprap swale at the overflow of the silt basin and end section with riprap pad for the discharge of the footing and roof drain. We recommend the bond estimate of \$7,730.00 dated 11/8/2018, prepared by this office be accepted for the bond amount and recommended for approval by the Town Board.

  
Julie S. Mangarillo, P.E., CPESC

Attachment: Erosion Control Bond Estimate, dated 11/8/2018

cc: Planning Board via email  
Bill Walters via email

Bruce Barber via email  
01-261-999-002

## **Tamara Harrison**

---

**From:** Planning Kent  
**Sent:** Friday, November 30, 2018 11:07 AM  
**To:** Maureen Fleming  
**Cc:** Accountant; Lana Cappelli; Nancy Tagliafierro (ntag@hoganandrossi.com); Tamara Harrison  
**Subject:** Bene Bond Return Resolution 20  
**Attachments:** Bene Bond Return Resolution 20 Nov 2018.pdf

Please add this request to the next Town Board meeting agenda.

Thanks very much.

Vera Patterson  
Kent Planning Board  
25 Sybil's Crossing  
Kent, NY 10512  
845-225-7802 (T)  
845-306-5283 (F)  
planningkent@townofkentny.gov



Town of Kent Planning Board  
25 Sybil's Crossing  
Tel: 845-225-7802

email: planningkent@townofkentny.gov  
Kent, NY 10512  
Fax: 845-306-5283

RESOLUTION #20  
Year 2018

Date: November 16, 2018  
From: The Kent Planning Board  
To: The Kent Town Board:  
Maureen Fleming, Supervisor - w/Att. Jaimie McGlasson  
Paul Denbaum Christine Woolley  
Bill Huestis  
CC: W. Walters, Building Inspector - w/Att T. Harrison - w/Att.  
L. Cappelli, Town Clerk - w/Att Finance Department - w/Att.  
N. Tagliaferro - w/Att.  
Re: Request to return Erosion Control Bond to:  
Joseph Bene  
10 Mt. Hope Road  
Mahopac, NY 10541  
For Property located at:  
226 Tibet Drive  
Kent, NY 10512  
TM: 30.20-1-16

Resolved: On November 8, 2018 the Kent Planning Board reviewed material pertaining to the property noted above and agreed that it was appropriate to comply with the request to return an Erosion Control bond in the amount of \$8,035.52 to Joseph Bene.

Mr. Tolmach asked for a motion to forward a request to the Kent Town Board to take the above action. The motion was made by Mr. Lowes and seconded by Mr. Wilhelm. The roll call vote was as follows:

Phil Tolmach, Chairman	<u>Aye</u>
Simon Carey	<u>Aye</u>
Giancarlo Gattucci	<u>Aye</u>
Dennis Lowes	<u>Aye</u>
Charles Sisto	<u>Aye</u>
Stephen Wilhelm	<u>_____</u>

The motion carried.

The Planning Board respectfully asks that, if the Town Board is in agreement, they pass a resolution decreeing that the above actions be taken.

I, Vera Patterson, Planning Board Secretary of the town of Kent, County of Putnam, State of New York, do hereby certify that the foregoing is a true excerpt from the minutes of a meeting of the Planning Board of the Town of Kent held on November 8, 2018.

Dated: November 16, 2018



Vera Patterson  
Planning Board Secretary

Maureen - I gave you ... instead of the wrong  
Tax map. Please do an amendment to this.  
Thanks.

*Wesley*

## TOWN OF KENT

25 Sybil's Crossing  
Kent Lakes, New York 10512

Yolanda D. Cappelli  
Town Clerk



Administrative Office  
Tel. (845) 225-2067  
Fax. (845) 306-5282

30.20-1-16

### ~~30.20-1-16~~ RESOLUTION

Accept Erosion Control Bond TM#30.20-1-16  
On a motion by Councilman Denbaum  
Seconded by Councilwoman McGlasson

WHEREAS, the Planning Board, at their meeting held on August 16, 2016, approved Resolution #11 of Year 2016 recommending that the Town Board accept an Erosion Control Bond in the amount of \$8,035.52 from the owners of a parcel of land located at Tibet Drive, Kent, New York, identified as Tax Map No. ~~33.20-1-16~~ 30.20-1-16 (the "Lot"), with regard to the construction of a single family residence; and

WHEREAS, the Town Board of the Town of Kent wishes to follow the recommendations of the Planning Board;

NOW, THEREFORE BE IT RESOLVED, that the Town Board of the Town of Kent hereby accepts the recommendation of the Planning Board and approves the posting of an Erosion Control Bond in the amount of \$8,035.52 for the construction on the Lot.  
Motion carried unanimously

I, Yolanda D. Cappelli, Town Clerk of the Town of Kent, do hereby certify that the above is a true and exact copy of a resolution adopted by the town board of the Town of Kent at a meeting of said board on September 13, 2016.

September 15, 2016

*Yolanda Cappelli*  
Yolanda D. Cappelli, Town Clerk

TOWN OF KENT  
PLANNING BOARD  
25 Sybil's Crossing  
Kent Lakes, NY 10512  
[planningkent@townofkentny.gov](mailto:planningkent@townofkentny.gov)

Tel: (845) 225-7802

Fax: (845) 306-5283



RESOLUTION # 11  
Year 2016

Date: August 16, 2016  
From: The Kent Planning Board  
To: The Kent Town Board:  
Maureen Fleming, Supervisor - w/Att.  
Scott Chin  
Paul Denbaum  
Bill Huestis  
Jaimie McGlasson  
CC: W. Walters, Building Inspector - w/Att  
L. Cappelli, Town Clerk - w/Att  
J. Ramos - w/Att.  
Finance Department - w/Att.  
Re: Request to Accept Erosion Control Bond  
Joseph Bene, Tibet Drive, Kent, NY; TM: 30.20-1-16

Resolved: On July 14, 2016 the Kent Planning Board reviewed material submitted by Mr. Bart Lansky, who represented Mr. Joseph Bene, the owner of the property mentioned above. Mr. Lansky requested that the Kent Planning Board accept an Erosion Control Bond in the amount of \$8,035.52. This project involves construction of a single-family residence.

Mr. McDermott asked for a motion to forward a request to the Kent Town Board to take the above action. The motion was made by Mr. Brunner and seconded by Mr. Tolmach. The roll call vote was as follows:

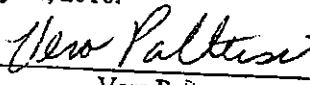
Michael McDermott, Chairman	<u>Aye</u>	Gary Lam	<u>Absent</u>
Dennis Lowes, Vice Chairman	<u>Aye</u>	Charles Sisto	<u>Aye</u>
Janis Bolbrock	<u>Aye</u>	Philip Tolmach	<u>Aye</u>
George Brunner	<u>Aye</u>		

The motion carried.

The Planning Board respectfully asks that, if the Town Board is in agreement, they pass a resolution decreeing that the above actions be taken.

I, Vera Patterson, Planning Board Secretary of the town of Kent, County of Putnam, State of New York, do hereby certify that the foregoing is a true excerpt from the minutes of a meeting of the Planning Board of the Town of Kent held on July 14, 2016.

Dated: August 16, 2016

  
Vera Patterson  
Planning Board Secretary

Town of Kent Planning Board  
25 Sybil's Crossing  
Tel: 845-225-7802

email: [planningkent@townofkentny.gov](mailto:planningkent@townofkentny.gov)  
Kent, NY 10512  
Fax: 845-306-5283

RESOLUTION # 11  
Year 2016

Date: August 16, 2016  
From: The Kent Planning Board  
To: The Kent Town Board:  
Maureen Fleming, Supervisor - w/Att.  
Scott Chin  
Paul Denbaum  
Bill Huestis  
Jaimie McGlasson  
CC: W. Walters, Building Inspector - w/Att.  
L. Cappelli, Town Clerk - w/Att.  
J. Ramos - w/Att.  
Finance Department - w/Att.  
Re: Request to Accept Erosion Control Bond  
Joseph Bene, Tibet Drive, Kent, NY; TM: 33.20-1-16  
On property owned by Mr. Anavil, Long Mountain Road, Kent, NY TM: 8-1-2

Resolved: On July 14, 2016 the Kent Planning Board reviewed material submitted by Mr. Bart Lansky, who represented Mr. Joseph Bene, who owns the property mentioned above. Mr. Lansky requested that the Kent Planning Board accept an Erosion Control Bond in the amount of \$8,035.52. This project involves construction of a single-family residence.

Mr. McDermott asked for a motion to forward a request to the Kent Town Board to take the above action. The motion was made by Mr. Brunner and seconded by Mr. Tolmach. The roll call vote was as follows:

Michael McDermott, Chairman  
Dennis Lowes, Vice Chairman  
Janis Bolbrock  
George Brunner

Aye  
Aye  
Aye  
Aye

Gary Lam  
Charles Sisto  
Philip Tolmach

Absent  
Aye  
Aye

The motion carried.

The Planning Board respectfully asks that, if the Town Board is in agreement, they pass a resolution decreeing that the above actions be taken.

I, Vera Patterson, Planning Board Secretary of the town of Kent, County of Putnam, State of New York, do hereby certify that the foregoing is a true excerpt from the minutes of a meeting of the Planning Board of the Town of Kent held on July 14, 2016.

Dated: August 16, 2016

  
Vera Patterson  
Planning Board Secretary

Town of Kent Planning Board  
25 Sybil's Crossing  
Tel: 845-225-7802

email: [planningkent@townofkentny.gov](mailto:planningkent@townofkentny.gov)  
Kent, NY 10512  
Fax: 845-306-5283

# Memorandum

DATE: August 16, 2016  
TO: Finance Department  
CC:  
FROM: Vera Patterson  
RE: Recommendation to the Kent Town Board to accept an Erosion Control Bond  
For Property owned by Mr. Jose Bene  
Tibet Drive, Kent, NY; TM: 30.20-1-16

Please find attached the following items pertaining to the project noted above:

Chase Bank Check 9777007129	-	\$ 5,535.52
Chase Bank Check 9545406150	-	<u>\$ 2,500.00</u>
Total		\$8,035.52

Steep Slope & Erosion Control Permit Approval Resolution, July 14, 2016  
Memo from Julie Mangarillo, dated July 20, 2016, pertaining to bond agreement  
Backup material pertaining to bond  
Resolution 11

The Planning Board is also submitting this material to the Kent Town Board recommending that the Town Board accept this bond.  
Please hold these checks until the Town Board passes their Resolution accepting the bond.

Thanks very much.



## CODE ENFORCEMENT

OF THE TOWN OF KENT, PUTNAM COUNTY, N.Y. 10512  
845-306-5598

December 03, 2018

**From:** Zoning Enforcement Officer, Town of Kent:  
**To:** Supervisor Fleming, Town board members, Town of Kent:  
**Subject:** Violation requiring town corrective action:

On August 15<sup>th</sup> of this year the Town Board of the Town of Kent approved a resolution for a vendor identified here as Johnson's Tree Service to remove two trees, one standing, and one fallen from 8 Teatown Court in the town of Kent. Subsequent to this action the homeowner removed the fallen tree but not the standing one. The undersigned contacted the vendor and requested a new reduced price for the tree still standing.

Enclosed please find original violation and the new fee presented by the vendor.

Location requiring correction:

8 Teatown Court Tax# 33.65-1-36

For your consideration and approval.

William Looney,  
Zoning Enforcement Officer,  
Town of Kent.



CODE ENFORCEMENT  
OF  
THE TOWN OF KENT, PUTNAM COUNTY, N.Y. 10512  
845-306-5598

**ORDER TO REMEDY VIOLATION**

**Location:** 8 Teatown Ct Kent, NY

**Map NO:** 33.65-1-36

**Date:** 7/5/2018

**TO:**

Joe DeMonico  
PO BOX 132  
Eastchester, NY 10709-0132

**PLEASE TAKE NOTICE: THERE EXISTS A VIOLATION OF:**

Town of Kent Municipal Code\Chapter 55 A Property Maintenance Code (B) (1) (C)

at premises hereinafter described in that:

**DANGEROUS TREE: THERE EXISTS ON SITE DANGEROUS TREES POSING A THREAT TO THE HEALTH AND SAFETY OF THE HOMEOWNER OR OF ADJACENT PEOPLE AND PROPERTY.**

**OWNER HAS TEN DAYS FROM THIS DATE TO SUBMIT A PLAN TO THIS OFFICE TO REMOVE THE DANGER PRESENTED BY THE INDICATED TREES. IF THE ABOVE LISTED VIOLATION IS NOT CORRECTED, NOR NOTICE RECEIVED, THE TOWN OF KENT WILL CONTRACT WITH A VENDOR TO ADDRESS THE ISSUE AND THE FEE THE COMPANY PRESENTS WILL BE CHARGED TO THE PROPERTY OWNERS. IF THE PROPERTY OWNERS FAIL TO PAY THE BILL THE DEPT WILL BE ATTACHED TO THE OWNER'S TAX BILL PAYABLE ON THE NEXT INSTALLMENT.**

**YOU ARE THEREFORE DIRECTED AND ORDERED to comply with the law and remedy the conditions above mentioned within ten days from this date. Failure to remedy the conditions aforesaid and to comply with the law and may constitute an offense punishable by fine or imprisonment or both.**







FYI

Lana Cappelli

Wed 8/15/2018 11:14 AM

To: Code- Enforcement &lt;code-enforcement@townofkentny.gov&gt;;

**Authorize Correction of Violations, Acceptance of Proposal & Charge to Property Owners**

On a motion by Councilwoman Woolley

Second by Councilwoman McGlasson

**WHEREAS**, the Code Enforcement Officer of the Town of Kent issued an Order to Remedy a Violation (the "Order to Remedy Removal of Brush") directing the owners to remove rubbish, excess weed, grass and brush growth from the following properties:

69 Clubhouse Drive      Tax Map 33.35-1-46  
32 Palmer Trail      Tax Map 44.6-2-32; and

**WHEREAS**, the Code Enforcement Officer of the Town of Kent issued an Order to Remedy a Violation (the "Order to Remedy the Dangerous Tree") directing the owners to remove a dangerous tree from the exterior of the following properties in the Town of Kent:

35 Larchmont Road      Tax Map No. 33.50-1-44  
8 Teatown Court      Tax Map No. 33.65-1-36; and

**WHEREAS**, the Order to Remedy requires each owner to correct the violations or respond to the Code Enforcement Office within ten days and, to date, the owners of the Properties have not responded; and

**WHEREAS**, pursuant to Chapter 55A of the Town Code of the Town of Kent regarding "Property Maintenance", upon the failure of any owner to comply, the Building Inspector is authorized to correct a violation subject to the approval of the Town Board; and the Town Board wishes to authorize the Building Inspector to correct the violations; and

**WHEREAS**, consistent with the Town's Procurement Policy, the Town of Kent requested three written proposals from contractors to correct the violations on the Properties and received proposals in response copies of which are annexed hereto and incorporated by reference; and

**WHEREAS**, the Town Board wishes to accept the lowest proposals submitted on the properties as further outlined below:

69 Clubhouse Drive	\$3,000	Johnson's Tree Service
32 Palmer Trail	\$ 300	FI Adams Inc.
35 Larchmont Road	\$1,500	Bill Henry Tree Service
8 Teatown Court	\$1,466	Johnson's Tree Service;

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of Kent hereby accepts the proposals of Johnson's Tree Service, FI Adams Inc., and Bill Henry Tree Service, as described above for a total cost not to exceed \$6,266; and

**BE IT FURTHER RESOLVED**, that the actual cost of the correction of the violation, plus the accrued legal rate of interest from the date of completion of the work, shall be charged to the property owner by the Town in accordance with

12/3/2018

FYI - Code- Enforcement

Chapter 55A-12(B).

Motion carried unanimously



# Estimate

1361 Route 52, Carmel, NY 10512

Phone: 845-878-7569

Email: johnsonswoodpile@aol.com

Website: www.johnsonstreeserviceinc.com

Name/Address

William Looney  
Town of Kent Building Department  
25 Sybil's Crossing  
Kent Lakes, NY 10512

Date	Estimate No.	Project
06/22/18	188	

Item	Description	Quantity	Cost	Total
Tree Work	For: 8 Teatown Court, Carmel, NY Take down dead tree in front - Remove wood, chip brush, clean up. Putnam County Sales Tax	1	1,000.00 8.375%	1,000.00 0.00
		Total		\$1,000.00



# JOHNSON'S TREE SERVICE

## Estimate

1361 Route 52, Carmel, NY 10512

Phone: 845-878-7569

Email: johnsonswoodpile@aol.com

Website: www.johnsonstreeserviceinc.com

Name/Address
William Looney Town of Kent Building Department 25 Sybil's Crossing Kent Lakes, NY 10512

Date	Estimate No.	Project
06/22/18	188	

Item	Description	Quantity	Cost	Total
Tree Work	For: 8 Teatown Court, Carmel, NY			
	Downed tree in front and dead tree in front	1	1,600.00	1,600.00
	<del>Putnam County Sales Tax</del>		<del>8.375%</del>	<del>134.00</del>
				<i>\$1400</i>
		Total		\$1,734.00